

TRANSMITTAL FORM

be used for all correspondence after initial filing)

Total Number of Pages in This Submission

3

Application No.

09/856,807

Filing Date

May 24, 2001

First Named Inventor

Niels Christian Finseth

Group Art Unit

Not Yet Assigned

Examiner Name

Not Yet Assigned

Attorney Docket Number

42390P11872

ENCLOSURES (check all that apply)

☒ Fee Transmittal Form☒ Fee Attached☐ Amendment / Response☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Response to Missing Parts/Incomplete Application☐ Response to Missing Parts under 37 CFR 1.52 or 1.53☐ Assignment Papers (for an Application)☐ Drawing(s)☐ Licensing-related Papers☐ Petition Routing Slip (PTO/SB/69) and Accompanying Petition☐ To Convert a Provisional Application☐ Power of Attorney, Revocation Change of Correspondence Address☐ Terminal Disclaimer☐ Small Entity Statement☐ Request for Refund☐ After Allowance Communication to Group☐ Appeal Communication to Board of Appeals and Interferences☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Additional Enclosure(s) (please identify below):

Response to Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected office (DO/EO/US)

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual name

Gregory D. Caldwell, Reg. No. 39,926

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Signature

Date

September 18, 2001

CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail with sufficient postage in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on:

September 18, 2001

Typed or printed name Susanne M. Sorensen

Signature

Susanne M. Sorensen

Date

September 18, 2001

lease type a plus sign (+) inside this box



PTO/SB/17 (12/99)
Approved for use through 09/30/2000. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2000

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 130.00

Complete if Known

Application No. 09/856,807
Filing Date May 24, 2001
First Named Inventor Niels Christian Finseth
Examiner Name Not Yet Assigned
Group/Art Unit Not Yet Assigned
Attorney Docket Number 42390P11872

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to credit any overpayments to:

Deposit Account Number 02-2666

Deposit Account Name Blakely, Sokoloff, Taylor & Zafman LLP

- ☒ Charge Any Additional Fee(s) Required Under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.

- ☐ Applicant claims small entity status. See 37 CFR 1.27.

2. ☒ Payment Enclosed:

- ☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	201	710	355	201	355	Utility filing fee	
106	206	320	160	206	160	Design filing fee	
107	207	490	245	207	245	Plant filing fee	
108	208	710	355	208	355	Reissue filing fee	
114	214	150	75	214	75	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
103	203	18	9	203	9	Claims in excess of 20	
102	202	80	40	202	40	Independent claims in excess of 3	
104	204	260	135	204	135	Multiple Dependent claim, if not paid	
109	209	80	40	209	40	**Reissue independent claims over original patent	
110	210	18	9	210	9	**Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)

FEE CALCULATION (continued)

3. ADDITIONAL FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	205	130	65	205	65	Surcharge - late filing fee or oath	130.00
127	227	50	25	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	239	130	130	239	130	Non-English specification	
147	247	2,520	2,520	247	2,520	For filing a request for reexamination	
112	212	920*	920	212	920	*Requesting publication of SIR prior to Examiner action	
113	213	1,840*	1,840	213	1,840	*Requesting publication of SIR after Examiner action	
115	215	110	55	215	55	Extension for response within first month	
116	216	390	195	216	195	Extension for response within second month	
117	217	890	445	217	445	Extension for response within third month	
118	218	1,390	695	218	695	Extension for response within fourth month	
128	228	1,890	945	228	945	Extension for response within fifth month	
119	219	310	155	219	155	Notice of Appeal	
120	220	310	155	220	155	Filing a brief in support of an appeal	
121	221	270	135	221	135	Request for oral hearing	
138	238	1,510	1,510	238	1,510	Petition to institute a public use proceeding	
140	240	110	55	240	55	Petition to revive - unavoidable	
141	241	1,240	620	241	620	Petition to revive - unintentional	
142	242	1,240	620	242	620	Utility issue fee (or reissue)	
143	243	440	220	243	220	Design issue fee	
144	244	600	300	244	300	Plant issue fee	
122	222	130	130	222	130	Petitions to the Commissioner	
123	223	130	130	223	130	Petitions related to provisional applications	
126	226	180	180	226	180	Submission of Information Disclosure Stmt	
581	281	40	40	281	40	Recording each patent assignment per property (times number of properties)	
146	246	710	355	246	355	Filing a submission after final rejection (37 CFR 1.129(a))	
149	249	710	355	249	355	For each additional invention to be examined (37 CFR 1.129(b))	
179	279	710	355	279	355	Request for Continued Examination (RCE)	
169	269	900	900	269	900	Request for expedited examination of a design application	

Other fee (specify) _____

Other fee (specify) _____

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 130.00

SUBMITTED BY

Complete (if applicable)

Name (Print/Type) Gregory D. Caldwell Registration No. 39,926 Telephone (503) 684-6200
Signature [Signature] Date 09/18/01

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2039.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED

Attorney's Docket No.: 42390.P11872

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Niels Christian Finseth

Application No.: 09/856,807

Filed: November 23, 1999

For: A METHOD AND A CIRCUIT
FOR RECOVERING A DIGITAL
DATA SIGNAL AND A CLOCK
FROM A RECEIVED
DATA SIGNAL

Group Art Unit:

Examiner: Not Yet Assigned

Commissioner for Patents
Box PCT
Washington, D.C. 20231

I hereby certify that the correspondence is being deposited with the
United States Postal Service as first class mail with sufficient postage
in an envelope addressed to the Commissioner of Patents, Washington,
D.C. 20231

Date of Deposit
Susanne M. Sorensen
Name of Person Mailing Correspondence
Susanne M. Sorensen 9-18-01
Date
Signature

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN
THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

Sir:

In response to the Notification of Missing Requirements, dated July 19, 2001, enclosed
please find a duly executed Declaration and Power of Attorney with respect to the
above-referenced patent application, along with a check for \$130.00 to cover the surcharge.

09/25/2001 UEDUVIJE 00000130 09856807

01 FC:154

130.00 OP

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 9/18/01

Gregory D. Caldwell
Reg. No. 39,926

12400 Wilshire Blvd.
Seventh Floor
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UNITED STATES PATENT

TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NO. 09/856807	FIRST NAMED APPLICANT GREGORY D CALDWELL BLAKELY SOKOLOFF TAYLOR & ZAFMAN 12400 WILSHIRE BOULEVARD SEVENTH FLOOR LOS ANGELES, CA 90025	ATTY. DOCKET NO. 42390.P11872
INTERNATIONAL APPLICATION NO. PCT/DK99/00648		
I.A. FILING DATE 23 NOV 99		PRIORITY DATE 24 NOV 98

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN
LOS ANGELES

DATE MAILED: 19 JUL 2001

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

- The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):

<input checked="" type="checkbox"/> U.S. Basic National Fee.	<input type="checkbox"/> Indication of Small Entity Status.
<input checked="" type="checkbox"/> Copy of the international application.	<input type="checkbox"/> Translation of the international application into English.
<input checked="" type="checkbox"/> Oath or Declaration of inventors(s).	<input type="checkbox"/> Translation of Article 19 amendments into English.
<input type="checkbox"/> Copy of Article 19 amendments.	<input type="checkbox"/> Other:
<input checked="" type="checkbox"/> Priority Document.	
<input checked="" type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any.	
<input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English.	
- ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

<input type="checkbox"/> U.S. Basic National Fee.	<input type="checkbox"/> Copy of the international application.
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- The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

<input type="checkbox"/> a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
<input type="checkbox"/> The current translation is defective for the reasons indicated on the attached Notice of Defective Translation:
<input type="checkbox"/> b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
<input type="checkbox"/> c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
<input checked="" type="checkbox"/> The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
<input checked="" type="checkbox"/> d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).
- Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.
- ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

- If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
- ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

- Enclosed: ☒ PCT/DO/EO/917 ☐ Notice of Defective Translation
☐ PTO-875 ☐ PCT/DO/EO/920

Winston M Alvarado

Telephone: 703-305-6421

RECEIVED

JUL 25 2001

B.S.I.Z. DATABASE DEPT.



U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/856807	FINSETH	C 42390.P11872
INTERNATIONAL APPLICATION NO.		
PCT/DK99/00648		
I.A. FILING DATE	PRIORITY DATE	
23 NOV 99	24 NOV 98	

GREGORY D CALDWELL
BLAKELY SOKOLOFF TAYLOR & ZAFMAN
12400 WILSHIRE BOULEVARD SEVENTH FLOOR
LOS ANGELES, CA 90025

DATE MAILED: 19 JUL 2001

NOTIFICATION OF A DEFECTIVE OATH OR DECLARATION

This application fails to contain an oath or declaration acceptable under 35 U.S.C. 371(c)(4) for entry into the national stage in the United States of America. The period within which to correct the deficiency noted below and avoid abandonment is set in the accompanying Notification.

A new oath or declaration, properly identifying this application (preferably by the international application number and international filing date) is required. The oath or declaration does not comply with 37 CFR 1.497(a),(b) and (f) in that it:

1. ☒ is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
2. ☐ does not identify the application to which it is directed.
3. ☐ does not identify the inventor(s).
4. ☐ does not identify the citizenship of each inventor.
5. ☐ does not state that the person making the oath or declaration believes the named inventor or inventors to be the original and first inventor or inventors of the subject matter which is claimed and for which a patent is sought.

FAILURE TO SUBMIT AN OATH OR DECLARATION IN COMPLIANCE WITH 37 CFR 1.497(a) AND (b), AND 1.497(d) WHERE APPROPRIATE, WITHIN THE TIME PERIOD SET WILL RESULT IN FAILURE TO ENTER THE NATIONAL STAGE AND THE ABANDONMENT OF THE APPLICATION.

Additionally, the oath or declaration does not comply with 37 CFR 1.63 in that it:

1. ☐ does not identify the mailing address of each inventor. If the residence is different from the mailing address, then the city and state or city and foreign country of residence of each inventor must also be given.
2. ☐ does not state that the person making the oath or declaration:
 - a. ☐ has reviewed and understands the contents of the application, including the claims, as amended by any amendment specifically referred to in the oath or declaration.
 - b. ☐ acknowledges the duty to disclose to the Office all information known to the person to be material to patentability as defined in 37 CFR 1.56.
3. ☐ does not identify the foreign application for patent or inventor's certificate for which a claim for priority is made pursuant to 37 CFR 1.55, and any foreign application having a filing date before that of the application on which priority is claimed, by specifying the application serial number, country, day, month, and year of its filing.

Winston M. Alvarado

Telephone: 703-305-6421

RECEIVED

JUL 25 2001

B.S.I.Z. DATABASE DEPT.

J.C.